

> > Gonzales, Wilson, and Bexar counties. In the  
> 1980s,  
> the county was  
> predominately a farming community; but in recent  
> years, many people have  
> moved from San Antonio (Bexar County) to Guadalupe  
> County, preferring to  
> live in Guadalupe County and work in Bexar County.

> > --- Peggy

> >  
> >  
> >  
> >  
> >  
> >

> > "Job Serebrov" [REDACTED]  
> 05/08/2006 11:30 PM

> >

> > To  
> psims@eac.gov  
> cc

> >

> > Subject  
> Re: Working Group

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

> >

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----



"Job Serebrov" [REDACTED]

05/04/2006 11:17 AM

To psims@eac.gov  
cc

003501



Subject Re: Good News

I will have a better idea about my uncle's condition today after surgery.

See:

[http://www.modrall.com/attorneys/attorney\\_23.html](http://www.modrall.com/attorneys/attorney_23.html).

500 Fourth Street NW

P.O. Box 2168

Albuquerque, NM 87103-2168

(505) 848-1800

Fax: (505) 848-1891

Asst: Carol Casstevens

patrogers@modrall.com

--- psims@eac.gov wrote:

> Job:  
> Secretary Rokita is available May 18. I'm going to  
> talk with the Chairman  
> today about substituting Rogers for Norcross. Do  
> you have contact  
> information for Rogers? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----



"Job Serebrov"

05/03/2006 01:46 PM

To psims@eac.gov

cc

Subject Re: Working Group Meeting

Monday afternnon I have a commission meeting.

--- psims@eac.gov wrote:

> Job and Tova:  
>  
> As of now, the afternoon of Thursday, May 18 appears  
> to be the best  
> possible date for the meeting. Norcross is not  
> available to attend in  
> person that day (he is available only 2 days during  
> the first three weeks  
> of May). We won't have confirmation of the  
> availability of Secretary  
> Rokita until tomorrow --- but I am hopeful.  
>  
> I'll give you an update tomorrow. Maybe we can  
> schedule a teleconference  
> on Monday afternoon. --- Peggy

003502

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----



"Tova Wang"  
<wang@tcf.org>

05/11/2006 01:33 PM

To psims@eac.gov, dromig@eac.gov

cc

Subject RE: research summaries

I did send you the Brennan piece, but not the other one.

-----Original Message-----

**From:** Tova Wang  
**Sent:** Thursday, May 11, 2006 12:31 PM  
**To:** psims@eac.gov; dromig@eac.gov  
**Subject:** research summaries

I have the feeling we didn't include these in the original batch I sent you. Could you double check and if not, would you please include them in the existing research materials? Sorry and thanks. I'm kind of doing all of this on my own in case you couldn't tell. List is coming...

Tova Andrea Wang  
Democracy Fellow  
**The Century Foundation**  
41 East 70th Street - New York, NY 10021  
phone: 212-452-7704 fax: 212-535-7534

Visit our Web site, [www.tcf.org](http://www.tcf.org), for the latest news, analysis, opinions, and events.

[Click here](#) to receive our weekly e-mail updates.


----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----

Margaret Sims/EAC/GOV

05/09/2006 11:23 AM

To Devon E. Romig/EAC/GOV

cc

Subject Re: Fw: May 18th Meeting at EAC 

Devon:

Send an email to Perez to remind him to contact Adventure Travel ASAP. We don't have confirmation of Rogers participation yet, though we have had a number of voice mails flying back and forth, so we cannot yet notify him to make travel arrangements immediately. --- Peggy

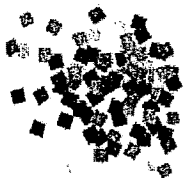
Devon E. Romig/EAC/GOV



Devon E. Romig/EAC/GOV

Margaret Sims/EAC/GOV@EAC

003500



05/09/2006 11:12 AM

To  
cc  
Subject Fw: May 18th Meeting at EAC

Devon Romig  
United States Election Assistance Commission  
1225 New York Ave. NW, Suite 1100  
Washington, DC 20005  
202.566.2377 phone  
202.566.3128 fax  
www.eac.gov

----- Forwarded by Devon E. Romig/EAC/GOV on 05/09/2006 11:12 AM -----



"Marvin Brokaw"

[REDACTED]

To dromig@eac.gov  
cc

05/09/2006 11:04 AM

Subject RE: May 18th Meeting at EAC

Hi Devon:

We have heard from Mark Hearne and Todd Rokita. They are both flying in and out on the 18th and will not need hotel rooms. We're kind of waiting to see if Perez and Rogers need rooms before booking any hotel. As soon as we get approval of Hearne and Rokita air schedules and get them booked, we'll forward their itineraries to you.

Kind Regards,  
Marvin

-----Original Message-----

**From:** dromig@eac.gov [mailto:dromig@eac.gov]

**Sent:** Tuesday, May 09, 2006 8:31 AM

**To:** [REDACTED]

**Cc:** psims@eac.gov

**Subject:** May 18th Meeting at EAC

Hello Marvin,

I just wanted to follow up with the voicemail message that I left for you yesterday. We will be holding a meeting at our offices in Washington DC on May 18, 2006. I have informed the out of state attendees to contact you for their travel arrangements.

We have been authorized to pay for the attendees airfare and hotel arrangements. Please note that all of the participants are authorized for a two night hotel room stay, as long as the dates are May 17th and 18th.

I attached the list of the meeting participants that will be contacting you about their travel arrangements for the May 18th meeting in Washington DC.

003504

Let me know if you have any questions for me or if you need any more information from me.

Thanks for your help!

Devon Romig  
United States Election Assistance Commission  
1225 New York Ave. NW, Suite 1100  
Washington, DC 20005  
202.566.2377 phone  
202.566.3128 fax  
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----



"Tova Wang"  
<wang@tcf.org>

05/02/2006 05:06 PM

To dromig@eac.gov

cc psims@eac.gov

Subject RE: Voting Fraud/Voter Intimidation Project Working Group

Can you please give me an idea where we are at with all this? I'd like to be able to figure out my schedule. Thanks -- and thanks for all your assistance on this. Tova

-----Original Message-----

**From:** dromig@eac.gov [mailto:dromig@eac.gov]

**Sent:** Tuesday, May 02, 2006 3:54 PM

**To:** wang@tcf.org

**Subject:** RE: Voting Fraud/Voter Intimidation Project Working Group

Yes, I have spoken to her assistant several times but today has been the first time that I have ever spoken to her assistant. We did get the information that we needed. Thanks for your help!

Devon Romig  
U.S. Election Assistance Commission  
1225 New York Ave. NW - Suite #1100  
Washington, D.C. 20005  
(202)566-2377

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----

Margaret Sims/EAC/GOV

05/02/2006 05:41 PM

To "Tova Wang" <wang@tcf.org>@GSAEXTERNAL

cc

Subject RE: Voting Fraud/Voter Intimidation Project Working Group



I hope to have a better idea tomorrow, if Rokita's office responds. If not, we'd better have a teleconference to discuss our options. --- Peggy

00350E

"Tova Wang" <wang@tcf.org>



"Tova Wang"  
<wang@tcf.org>  
05/02/2006 05:06 PM

To dromig@eac.gov  
cc psims@eac.gov  
Subject RE: Voting Fraud/Voter Intimidation Project Working Group

Can you please give me an idea where we are at with all this? I'd like to be able to figure out my schedule. Thanks -- and thanks for all your assistance on this. Tova

-----Original Message-----

**From:** dromig@eac.gov [mailto:dromig@eac.gov]  
**Sent:** Tuesday, May 02, 2006 3:54 PM  
**To:** wang@tcf.org  
**Subject:** RE: Voting Fraud/Voter Intimidation Project Working Group

Yes, I have spoken to her assistant several times but today has been the first time that I have ever spoken to her assistant. We did get the information that we needed. Thanks for your help!

Devon Romig  
U.S. Election Assistance Commission  
1225 New York Ave. NW - Suite #1100  
Washington, D.C. 20005  
(202)566-2377

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----



wang@tcf.org  
05/03/2006 02:25 PM

To psims@eac.gov, [REDACTED]  
cc dromig@eac.gov  
Subject Re: Working Group Meeting

Sounds good. I'm available any time on Monday. Tova

----- Original Message -----

**From:** psims@eac.gov  
**To:** [REDACTED]; wang@tcf.org  
**Cc:** dromig@eac.gov  
**Sent:** Wednesday, May 03, 2006 1:44 PM  
**Subject:** Working Group Meeting

Job and Tova:

003500

As of now, the afternoon of Thursday, May 18 appears to be the best possible date for the meeting. Norcross is not available to attend in person that day (he is available only 2 days during the first three weeks of May). We won't have confirmation of the availability of Secretary Rokita until tomorrow --- but I am hopeful.

I'll give you an update tomorrow. Maybe we can schedule a teleconference on Monday afternoon. ---  
Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---



"Donsanto, Craig"  
<Craig.Donsanto@usdoj.gov>  
>

To psims@eac.gov

cc "Mitchell, Cynthia" <Cynthia.Mitchell@usdoj.gov>

05/11/2006 03:36 PM

Subject RE: Voting Fraud-Voter Intimidation Working Group

Peg - -

I plan to be here tomorrow, although I may have to go to the main building during the day. If you are here and I am out, just leave the packet with the receptionist. Thank you.

---

**From:** psims@eac.gov [mailto:psims@eac.gov]  
**Sent:** Thursday, May 11, 2006 3:34 PM  
**To:** Donsanto, Craig  
**Subject:** RE: Voting Fraud-Voter Intimidation Working Group

Craig:

I would love to have an updated list for our research files. For purposes of getting this information out to our participants, I will note that the consultants' summary is based upon information provided as of January 2006. Thanks.

Do you expect to be at your office tomorrow afternoon? I can walk over with the information packet we will have put together for the Working Group. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/11/2006 02:55 PM

Topsims@eac.gov

cc

Subject RE: Voting Fraud-Voter Intimidation Working Group

00350

Peggy - -

I have Cynthia Mitchell in here with me now.

She says that the figures you listed in your attachment are your analysis of our product, and that therefore we cannot re-evaluate them.

I do not see anything in these raw numbers that impacts adversely any privacy or privilege issues.

We can update the public list and send that to you, if you'd prefer. That would allow you to represent that the numbers are current up through now. But if you would prefer, you can use what you have as long as it is represented as complete only through January, 2006.

Let us know your desires - - -

**From:** psims@eac.gov [mailto:psims@eac.gov]  
**Sent:** Thursday, May 11, 2006 2:35 PM  
**To:** Donsanto, Craig  
**Subject:** Voting Fraud-Voter Intimidation Working Group  
**Importance:** High

Craig:

I think we have resolved the issue of Barbara Arnwine's absence from the upcoming meeting by having one of her staff represent her (and her organization). Please review the attached rough summary of DOJ Cases ASAP and let me know if I need to delete reference to the open investigations. Hopefully, we won't have to remove this information as it does not specify the defendants or States involved. --- Peg

**Rough Summary of Department of Justice, Public Integrity Section Activities, October 2002-January 2006**

**Prosecutions and Convictions-- Individuals**

Noncitizen voting: 20

Vote buying: 49

Double voting: 12

Registration fraud: 13

Civil Rights: 4

Voter Intimidation: 2

Unclear: 1

003508



Open Investigations (note: a few cases overlap with prosecutions and convictions)

Noncitizen voting: 3  
Vote buying: 25  
Double voting: 15  
Registration fraud: 29  
Absentee ballot fraud: 9  
Official: 8  
Ineligibles: 4  
Deceptive Practices: 1  
Civil Rights: 14  
Intimidation: 6  
Other: 2

Cases and Investigations Closed for Lack of Evidence

Civil Rights: 8  
Official: 12  
Registration Fraud: 12  
Absentee Ballot Fraud: 14  
Ineligible Voting: 3  
Intimidation: 8  
Double Voting: 5  
Ballot Box Stuffing: 1  
Vote Buying: 14  
Ballot/machine tampering: 2  
Other: 8  
Unclear: 3

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----



"Tova Wang"  
<wang@tcf.org>

04/24/2006 09:23 AM

To psims@eac.gov

cc

Subject invoice

Hi Peg,

Can you please check this before I fax it? Thanks! And can we talk sometime today?

Tova Andrea Wang  
Democracy Fellow  
**The Century Foundation**  
41 East 70th Street - New York, NY 10021  
phone: 212-452-7704 fax: 212-535-7534

003509

Visit our Web site, [www.tcf.org](http://www.tcf.org), for the latest news, analysis, opinions, and events.

[Click here](#) to receive our weekly e-mail updates.



voucher 3-26-4-22.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----

Margaret Sims/EAC/GOV

05/04/2006 02:23 PM

To Jeannie Layson/EAC/GOV

cc bwhitener@eac.gov

Subject Fw: Voting Fraud-Voter Intimidation Working Group Meeting

Oops! I forgot to cc. you on this. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/04/2006 02:23 PM -----

Margaret Sims/EAC/GOV

05/04/2006 02:07 PM

To Paul DeGregorio, Ray Martinez, Donetta Davidson, Gracia Hillman

twilkey@eac.gov, jthompson@eac.gov, Gavin S.

Gilmour/EAC/GOV@EAC, Amie J. Sherrill/EAC/GOV@EAC,

cc Adam Ambrogio/EAC/GOV@EAC, Elieen L.

Collver/EAC/GOV@EAC, Sheila A. Banks/EAC/GOV@EAC,

bbenavides@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC

Subject Voting Fraud-Voter Intimidation Working Group Meeting

Dear Commissioners:

This is to let you know that the Working Group for our Voting Fraud and Voter Intimidation preliminary research project is scheduled to meet in EAC's large conference room the afternoon of Thursday, May 18. I will provide more information about this meeting to you later.

Peggy Sims

Election Research Specialist

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----

wang@tcf.org

05/13/2006 10:54 AM

To psims@eac.gov

cc "Job Serebrov" [REDACTED]

Subject Fw: research summary



Existing\_research\_thoughts.doc Job found it. I'm assuming its too late to include so as I said I'll just present it if thats OK. Thanks again Job. T

003510

----- Original Message -----

From: "Job Serebrov" [REDACTED]

To: <wang@tcf.org>

Sent: Saturday, May 13, 2006 10:12 AM

Subject: Re: research summary

> T~

>

> Are you talking about this?

>

> J~

>

> --- wang@tcf.org wrote:

>

>> In the middle of the night I got the feeling that  
>> you may be right, that I did do a summary of the  
>> existing literature review (that Job, you approved)  
>> . I'll have to look for it on Monday (unless I go  
>> into the office over the weekend, which is  
>> possible). I may be hallucinating, but if not, I'll  
>> just present it at the meeting rather than try to  
>> get it to them ahead of time. Tova

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----



"Donsanto, Craig"

<Craig.Donsanto@usdoj.gov>

>

05/11/2006 02:55 PM

To psims@eac.gov

cc

Subject RE: Voting Fraud-Voter Intimidation Working Group

Peggy - -

I have Cynthia Mitchell in here with me now.

She says that the figures you listed in your attachment are your analysis of our product, and that therefore we cannot re-evaluate them.

I do not see anything in these raw numbers that impacts adversely any privacy or privilege issues.

We can update the public list and send that to you, if you'd prefer. That would allow you to represent that the numbers are current up through now. But if you would prefer, you can use what you have as long as it is represented as complete only through January, 2006.

Let us know your desires - - -

---

**From:** psims@eac.gov [mailto:psims@eac.gov]

**Sent:** Thursday, May 11, 2006 2:35 PM

**To:** Donsanto, Craig

**Subject:** Voting Fraud-Voter Intimidation Working Group

**Importance:** High

003511

Craig:

I think we have resolved the issue of Barbara Arnwine's absence from the upcoming meeting by having one of her staff represent her (and her organization). Please review the attached rough summary of DOJ Cases ASAP and let me know if I need to delete reference to the open investigations. Hopefully, we won't have to remove this information as it does not specify the defendants or States involved. --- Peg

**Rough Summary of Department of Justice, Public Integrity Section Activities, October 2002-January 2006**

Prosecutions and Convictions-- Individuals

Noncitizen voting: 20  
Vote buying: 49  
Double voting: 12  
Registration fraud: 13  
Civil Rights: 4  
Voter Intimidation: 2  
Unclear: 1

Open Investigations (note: a few cases overlap with prosecutions and convictions)

Noncitizen voting: 3  
Vote buying: 25  
Double voting: 15  
Registration fraud: 29  
Absentee ballot fraud: 9  
Official: 8  
Ineligibles: 4  
Deceptive Practices: 1  
Civil Rights: 14  
Intimidation: 6  
Other: 2

Cases and Investigations Closed for Lack of Evidence

Civil Rights: 8  
Official: 12  
Registration Fraud: 12  
Absentee Ballot Fraud: 14  
Ineligible Voting: 3  
Intimidation: 8  
Double Voting: 5  
Ballot Box Stuffing: 1  
Vote Buying: 14  
Ballot/machine tampering: 2

003512

Other: 8

Unclear: 3

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----

Margaret Sims/EAC/GOV

05/11/2006 03:33 PM

To "Donsanto, Craig"

<Craig.Donsanto@usdoj.gov>@GSAEXTERNAL

cc

Subject RE: Voting Fraud-Voter Intimidation Working Group

Craig:

I would love to have an updated list for our research files. For purposes of getting this information out to our participants, I will note that the consultants' summary is based upon information provided as of January 2006. Thanks.

Do you expect to be at your office tomorrow afternoon? I can walk over with the information packet we will have put together for the Working Group. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>



"Donsanto, Craig"  
<Craig.Donsanto@usdoj.gov>  
>

05/11/2006 02:55 PM

To psims@eac.gov

cc

Subject RE: Voting Fraud-Voter Intimidation Working Group

Peggy - -

I have Cynthia Mitchell in here with me now.

She says that the figures you listed in your attachment are your analysis of our product, and that therefore we cannot re-evaluate them.

I do not see anything in these raw numbers that impacts adversely any privacy or privilege issues.

We can update the public list and send that to you, if you'd prefer. That would allow you to represent that the numbers are current up through now. But if you would prefer, you can use what you have as long as it is represented as complete only through January, 2006.

Let us know your desires - - -

---

**From:** psims@eac.gov [mailto:psims@eac.gov]

**Sent:** Thursday, May 11, 2006 2:35 PM

**To:** Donsanto, Craig

**Subject:** Voting Fraud-Voter Intimidation Working Group

**Importance:** High

003513

Craig:

I think we have resolved the issue of Barbara Arnwine's absence from the upcoming meeting by having one of her staff represent her (and her organization). Please review the attached rough summary of DOJ Cases ASAP and let me know if I need to delete reference to the open investigations. Hopefully, we won't have to remove this information as it does not specify the defendants or States involved. --- Peg

**Rough Summary of Department of Justice, Public Integrity Section Activities, October 2002-January 2006**

Prosecutions and Convictions-- Individuals

Noncitizen voting: 20  
Vote buying: 49  
Double voting: 12  
Registration fraud: 13  
Civil Rights: 4  
Voter Intimidation: 2  
Unclear: 1

Open Investigations (note: a few cases overlap with prosecutions and convictions)

Noncitizen voting: 3  
Vote buying: 25  
Double voting: 15  
Registration fraud: 29  
Absentee ballot fraud: 9  
Official: 8  
Ineligibles: 4  
Deceptive Practices: 1  
Civil Rights: 14  
Intimidation: 6  
Other: 2

Cases and Investigations Closed for Lack of Evidence

Civil Rights: 8  
Official: 12  
Registration Fraud: 12  
Absentee Ballot Fraud: 14  
Ineligible Voting: 3  
Intimidation: 8  
Double Voting: 5  
Ballot Box Stuffing: 1  
Vote Buying: 14

003514

Ballot/machine tampering: 2  
Other: 8  
Unclear: 3

—— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ——



"Tova Wang"  
<wang@tcf.org>

05/11/2006 01:10 PM

To psims@eac.gov

cc [REDACTED]

Subject new working group representative

is Jon Greenbaum

Here's his info in full:

<http://www.lawyerscommittee.org/2005website/aboutus/staff/staffgreenbaum.html>

He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

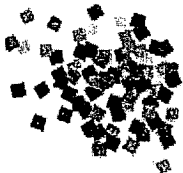
[jgreenbaum@lawyerscommittee.org](mailto:jgreenbaum@lawyerscommittee.org)  
202-662-8315  
1401 New York Avenue, NW  
Suite 400  
Washington, DC 20005

Tova Andrea Wang  
Democracy Fellow  
**The Century Foundation**  
41 East 70th Street - New York, NY 10021  
phone: 212-452-7704 fax: 212-535-7534

Visit our Web site, [www.tcf.org](http://www.tcf.org), for the latest news, analysis, opinions, and events.

[Click here](#) to receive our weekly e-mail updates.

—— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ——



Devon E. Romig/EAC/GOV

05/09/2006 09:31 AM

To [REDACTED]

cc Margaret Sims/EAC/GOV@EAC

Subject May 18th Meeting at EAC

003515

Hello Marvin,

I just wanted to follow up with the voicemail message that I left for you yesterday. We will be holding a meeting at our offices in Washington DC on May 18, 2006. I have informed the out of state attendees to contact you for their travel arrangements.

We have been authorized to pay for the attendees airfare and hotel arrangements. Please note that all of the participants are authorized for a two night hotel room stay, as long as the dates are May 17th and 18th.

I attached the list of the meeting participants that will be contacting you about their travel arrangements for the May 18th meeting in Washington DC.

Let me know if you have any questions for me or if you need any more information from me.

Thanks for your help!

Devon Romig  
United States Election Assistance Commission  
1225 New York Ave. NW, Suite 1100  
Washington, DC 20005  
202.566.2377 phone  
202.566.3128 fax  
www.eac.gov



OUT OF STATE PARTICIPANTS VFVI Meeting.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----

Margaret Sims/EAC/GOV

05/08/2006 01:05 PM

To "Job Serebrov"

[REDACTED]@GSAEXTERNAL

cc

Subject Re: Working Group 

Job:

I don't think we can put you on teleconference for 4 1/2 hours. We really need to have you here in person if you are to help conduct the Working Group meeting. You should make your travel arrangements ASAP.

--- Peggy

"Job Serebrov" [REDACTED]



"Job Serebrov"

05/08/2006 10:14 AM

To psims@eac.gov, wang@tcf.org

cc

Subject Re: Working Group

003510



Peggy:

4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually loose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person. It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.

Job

--- psims@eac.gov wrote:

> Hi, Folks:  
>  
> Teleconference  
> Are both of you available for a teleconference next  
> Tuesday afternoon at  
> about 4 PM EST? If this does not work for you,  
> please suggest another  
> date and/or time. I would like to discuss our  
> preparations for the  
> Working Group meeting.  
>  
> Working Group Members  
> We have a very good person to fill the slot for the  
> nonpartisan local  
> election official: J.R. Perez, Elections  
> Administrator for Guadalupe  
> County, TX. Attached is his bio. Hope you have no  
> objections to him. He  
> is available on May 18. I have place 2 calls to Pat  
> Rogers office, but  
> have not yet received a reply. Job, if you have any  
> pull with him, you  
> may want to contact him, too.  
>  
> Travel Arrangements  
> You should make your own travel arrangements,  
> including hotel. Travel  
> time cannot be billed to the contract, except for  
> hours actually worked on  
> the contract (i.e.; reviewing materials in  
> preparation for the meeting,  
> and the like). Current Federal rates follow:  
>  
> Maximum Lodging = \$180 per day- does not include  
> hotel taxes (if you  
> cannot get this rate, we have covered reasonable  
> rates that are a little  
> higher)  
> Meals & Incidentals = \$64 per day (except that it is  
> \$48 on the first and  
> last day of travel)  
> Mileage for Personally Owned Vehicle = \$ .445 per  
> mile

00351

>  
> Under the new contract, I do not have to fill out a  
> travel authorization  
> for you. I can approve your trip via email.  
> Afterwards, when you turn in  
> your next pay voucher, you can attach the airline  
> receipt (or mileage  
> documentation), hotel receipt(s), and ground  
> transportation receipts and a  
> copy of any printed itineraries. Calculate the  
> total travel expenses due  
> you, including applicable per diem. I do not need  
> meal receipts.  
>  
> Job, under Federal travel regulations, deviations  
> for personal reasons are  
> not normally accommodated. What you can do,  
> however, is to give me a  
> comparison of the cost of roundtrip mileage, hotel,  
> and per diem of doing  
> it your way against the cost of a roundtrip flight,  
> ground transportation,  
> hotel, and per diem. If your way costs less, it  
> should be no problem to  
> cover the full cost. If your way is more expensive,  
> we may only pay up to  
> the amount of traditional travel. (The same rules  
> apply to me when I  
> travel.) If you can tell me where, other than DC,  
> you will spend the  
> night, I can check on applicable per diem rates.  
>  
> Peggy  
>  
>

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----



"Job Serebrov"

05/10/2006 04:55 PM

To psims@eac.gov

cc

Subject Re: Latham

Do you have any other suggestions?

--- psims@eac.gov wrote:

> One sources suggests the Georgetown Inn has  
> vacancies and pillow top beds.  
> Try 1-800-424-2979 or 202-353-8900.  
>  
>  
>  
>

003518

> "Job Serebrov" [REDACTED]  
> 05/10/2006 02:35 PM  
>  
> To  
> psims@eac.gov  
> cc  
>  
> Subject  
> Latham  
>  
>  
>  
>  
>  
> The Latham is booked solid. I called. I am checking  
> out some possibilities but this is not looking good.  
>  
>  
>  
>

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----

Margaret Sims/EAC/GOV

05/10/2006 11:45 AM

To "Job Serebrov" [REDACTED]

@GSAEXTERNAL

cc

Subject Re: Update [REDACTED]

Why is the hotel suggestion not workable? (I need to know as we continue our search.) -- Peg

"Job Serebrov" [REDACTED]



"Job Serebrov" [REDACTED]

05/10/2006 10:29 AM

To psims@eac.gov

cc

Subject Update

Peggy:

Pat just e-mailed me. He has something he can't move on the 18th. So I am now down one person and still no good hotel situation. Devon's suggestion is not workable.

Job

003519

Margaret Sims/EAC/GOV  
04/30/2007 06:25 PM

To eacon@eac.gov  
cc  
bcc  
Subject Vote fraud Study-Archived Email Part 1

Here is the first batch of my archived email related to the vote fraud study.

Peg Sims

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----



"Job Serebrov"

08/02/2006 07:12 PM

To psims@eac.gov  
cc  
Subject Project

Peg:

Where are we on things?

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----


Margaret Sims/EAC/GOV  
09/25/2006 03:39 PM

To Juliet E. Hodgkins/EAC/GOV  
cc  
Subject Fw: Definition of Voting Fraud and Voter Intimidation

I think this is the communication to which you referred this afternoon. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 09/25/2006 03:39 PM -----

Gavin S. Gilmour/EAC/GOV  
11/30/2005 10:19 AM

To Margaret Sims/EAC/GOV@EAC  
cc jthompson@eac.gov  
Subject Re: Definition of Voting Fraud and Voter Intimidation 

Peggy,

Per our discussion, I have some initial concerns regarding the definitions that have been proposed.

1. Fraud is a legal term of art. Fraud is an intentional act or omission (i.e. actual fraud or constructive

003520

fraud) of misrepresentation or deceit. There is no such thing as defacto fraud or quasi fraud. Fraud must be intentional.... negligence alone is not fraud.

The general definition of voter fraud must concise and universally applicable (this in the challenging part). After this definition is created and intellectually tested, one can then create examples and explanations. These would 1) apply the definition to the entire election process (from beginning to end) and (2) apply it to action by voters, 3rd parties and election officials. Through this process a determination may be made regarding whether three definitions are needed or just one.

2. The document has no definition of voter intimidation. What is voter intimidation and how does it differ from voter fraud? I assume this would also be an intentional act.

3. Definitions need to be concise and tight. Such definitions need to be able to be broken down into elements. Each of these elements must have clear, applicable and enforceable meaning. This can be a challenge. For example use of the term "any illegal act" is unclear, begs the question and suggests that fraud only occurs in the course of committing a related crime.

These are just my initial thoughts.

GG  
Gavin S. Gilmour  
Associate General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100  
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV  
11/30/2005 09:28 AM

To jthompson@eac.gov, Gavin S. Gilmour/EAC/GOV@EAC  
cc

Subject Definition of Voting Fraud and Voter Intimidation

Attached discusses the definitions that Job and Tova would like to use. I have already taken issue with the exclusion of all voter registration shenanigans and the inclusion of administrative mistakes. Would be pleased to have your feedback and, if possible, your assistance for 15 minutes of a teleconference today (3:30 PM to 3:45 PM). --- Peggy



combined defining Fraud 11-18-05.doc

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---



"Tova Wang"  
<wang@tcf.org>  
08/08/2006 12:05 PM

To psims@eac.gov  
cc

Subject FW: bibliographic form

003521

**From:** Tova Wang [mailto:wang@tcf.org]  
**Sent:** Wednesday, July 26, 2006 9:31 AM  
**To:** psims@eac.gov  
**Cc:** 'Job Serebrov'; wang@tcf.org  
**Subject:** bibliographic form

Hi Peg, Here is the list of literature reviewed in bibliographic form. Please let us know if you have been able to look over any of the materials. Starting this afternoon, I will be pretty unavailable for the next two weeks.  
Thanks

Tova Andrea Wang  
Democracy Fellow  
**The Century Foundation**  
41 East 70th Street - New York, NY 10021  
phone: 212-452-7704 fax: 212-535-7534

Visit our Web site, [www.tcf.org](http://www.tcf.org), for the latest news, analysis, opinions, and events.

[Click here](#) to receive our weekly e-mail updates.



Lit review in bibliographic form.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----



wang@tcf.org

08/11/2006 02:46 PM

To psims@eac.gov

cc

Subject Re: direct deposit

I'm assuming we will get the extension for the revision period. Thanks.

----- Original Message -----

From: <psims@eac.gov>

To: <wang@tcf.org>

Sent: Friday, August 11, 2006 2:39 PM

Subject: Re: direct deposit

>

> Tova:

>

> I show only 2 hours left on your contract as of 7/15/06 -- but here is the  
> form you requested. --- Peggy

>

> (See attached file: EFT Form.rtf)

>

003522



Hey Peg,

Hope you are well. Whenever you have a chance, I need the form to change the direct deposit to my new bank account. Thanks so much.

Tova

PS -- Keep me posted on what's going on with the report

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Juliet E.  
Thompson-Hodgkins/EAC/G  
OV

To Margaret Sims/EAC/GOV@EAC

cc

08/10/2006 04:24 PM

Subject John TAnner Comments

Juliet Thompson Hodgkins  
General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100

----- Forwarded by Juliet E. Thompson-Hodgkins/EAC/GOV on 08/10/2006 04:25 PM -----



"Cameron.Quinn@usdoj.gov"  
<Cameron.Quinn@usdoj.gov  
>

To "jthompsonhodgkins@eac.gov"  
<jthompsonhodgkins@eac.gov>

cc

08/10/2006 12:29 PM

Subject



Tova Wang.doc

Cameron P. Quinn  
Counsel to the Assistant Attorney General  
Civil Rights Division, US Dept. of Justice  
Washington DC 20530  
202-305-9750

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV

10/12/2006 04:08 PM

To twilkey@eac.gov

cc jthompson@eac.gov, ggilmour@eac.gov,  
klynndyson@eac.gov, psims@eac.gov

003524



Subject Brennan Center letter

Tom,

A draft letter is attached. I've incorporated comments from Gavin and Julie.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100



www.eac.gov brennan center letter.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV

10/10/2006 01:56 PM

To Sheila A. Banks/EAC/GOV

cc

Subject Fw: Letter from Barbara Arnwine

Any chance you could send a pdf version of the letter to me? --Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 10/10/2006 01:55 PM -----

Gracia Hillman/EAC/GOV

10/10/2006 12:12 PM

To Margaret Sims/EAC/GOV@EAC

cc "Julie Thompson-Hodgkins" <jthompson@eac.gov>, "Tom Wilkey" <twilkey@eac.gov>, sbanks@eac.gov

Subject Re: Letter from Barbara Arnwine



The letter was addressed to the commissioners. I will ask Sheila to give a copy to you.

Per our normal procedures, I would guess a reply should be drafted for the Chairman's signature (especially as he is the DFO for the Board of Advisors) but you should check that with Tom.

Thanks.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV

10/11/2006 01:45 PM

To Jeannie Layson/EAC/GOV

cc twilkey@eac.gov, Juliet E. Hodgkins/EAC/GOV@EAC, bwhitener@eac.gov

Subject Re: Voting Fraud-Voter Intimidation Report

003525

I would hope that we can refer to it as a status report on the research project (prepared by EAC staff based upon information available at the time from our consultants, Tova and Job). Calling it a preliminary report has given rise to some confusion. That confusion has led to complaints from project working group members and requests from outsiders, who mistakenly think that EAC has released the document written by our consultant that fully reports on the preliminary research into voting fraud and voter intimidation and makes recommendations for future EAC action. --- Peggy

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV

10/11/2006 12:33 PM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Re: Voting Fraud-Voter Intimidation Report

Thanks for the update. Per legal, the preliminary report is absolutely public information which is why we had to give it to the reporter when he asked for it.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV

10/13/2006 02:49 PM

To Tova Andrea Wang, Job Serebrov

cc

Subject Don't Believe Everything You Read

Tova and Job:

I am home recuperating, but see that in my absence, a USA Today article has gotten everyone stirred up. The report to which the article refers is only the status report on the voting fraud-voter intimidation research project that was delivered to our Standards Board and Board of Advisors last spring. I provided a copy of this document to both of you. but have attached another copy for your information. This document is subject to public release because it was presented at a public meeting.

Due to internal resource allocation problems, your final report has not yet been reviewed by the Commissioners. It is considered a working document (not subject to public release) until it has completed the review process and the Commissioners have agreed to release it. There has been no attempt by the Commission to hold up the report. I bear responsibility for any delays in moving it along. Please be

00352E

reassured that we would not release your report without letting you know.

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)  
Fax: 202-566-3127  
email: psims@eac.gov



VF-VI Study Status 5-17-06.pdf

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV

10/13/2006 10:50 AM

To [REDACTED]

cc

Subject Your inquiry

Mr. Levine,

Per your inquiry from yesterday, the status report on the EAC's voter fraud and intimidation research project is attached. It was prepared by EAC staff and presented to our Standards Board and Board of Advisors at a meeting that was open to the public in May of this year. EAC staff is currently working on a final report.

Please let me know if I can be of further assistance, and I'd be glad to add you to our distribution list so you'll get updates on this and other EAC projects.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100



www.eac.gov VF-VI Study Status 5-17-06.pdf


----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

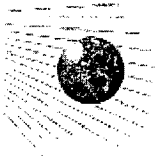
Paul DeGregorio/EAC/GOV

10/11/2006 10:20 AM

To Jeannie Layson/EAC/GOV@EAC

cc Amie J. Sherrill/EAC/GOV@EAC, Margaret  
Sims/EAC/GOV@EAC

Subject Re: Interview Request 



003527

Find a time that works. There's a story in today's St Louis PD that points to over 1000 suspect voter registrations.

-----  
Sent from my BlackBerry Wireless Handheld

----- Original Message -----

**From:** Jeannie Layson  
**Sent:** 10/11/2006 10:15 AM  
**To:** Paul DeGregorio  
**Cc:** Amie Sherrill; Margaret Sims  
**Subject:** Interview Request

Mr. Chairman,

Will Lester of the Associated Press wants to interview you briefly via phone about the preliminary fraud report. I recommend you accomodate him, as he has dutifully covered EAC, and plans to include us in a story next week about the election lanscape. He has requested a copy of the preliminary report, which I am sending to him. He only needs a few minutes, and as we discussed, i think the message is that these are preliminary findings that we presented to our advisory boards to get their input. When the final report is complete, we will release it. You can also use some of the talking pts from your speech, such as the challenge related to the very definition of the term "fraud," as people define it differently. How about I set it up for noon?

The only question he asked that I don't know the answer to is when we expect the final report. Peg... please weigh in on this.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
[www.eac.gov](http://www.eac.gov)

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Bryan Whitener/EAC/GOV

10/11/2006 11:34 AM

To Thomas R. Wilkey/EAC/GOV@EAC

cc Jeannie Layson/EAC/GOV@EAC, Margaret  
Sims/EAC/GOV@EAC, Karen Lynn-Dyson/EAC/GOV@EAC,  
Juliet E. Hodgkins/EAC/GOV@EAC

Subject Fw: request for reports - Wendy Weiser, Brennan Center

Tom,

Do we have a policy on distributing the items she is requesting?

----- Forwarded by Bryan Whitener/EAC/GOV on 10/11/2006 11:33 AM -----

"Wendy Weiser"

003528



10/11/2006 10:57 AM

To bwhitener@eac.gov

cc

Subject request for reports

Mr. Whitener,

I write to request a copy of the following two reports submitted to the Election Assistance Commission:

(1) a report on voter fraud and voter intimidation, outlining a future research agenda, prepared by Tova Wang and Job Serebrov, and discussed in this morning's USA TODAY;

(2) a report on provisional ballots and voter ID, prepared by the Moritz School of Law at Ohio State University in collaboration with others.

It is my understanding that these reports were commissioned by and submitted to the EAC several months ago. It is in the public interest to release these reports since they will advance the public discussion and understanding of important election administration issues.

Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Sincerely,

Wendy R. Weiser  
Deputy Director, Democracy Program  
Brennan Center for Justice at NYU School of Law  
161 Avenue of the Americas, 12th Floor  
New York, NY 10013  
(212) 998-6130 (direct)  
(212) 995-4550 (fax)  
[wendy.weiser@nyu.edu](mailto:wendy.weiser@nyu.edu)

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV

10/11/2006 01:03 PM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Re: Voting Fraud-Voter Intimidation Report

Has the working group met since the preliminary report was given to the Standards Bd?

003529

-----  
Sent from my BlackBerry Wireless Handheld

Margaret Sims

----- Original Message -----

**From:** Margaret Sims

**Sent:** 10/11/2006 12:34 PM

**To:** Paul DeGregorio; Jeannie Layson; Thomas Wilkey

**Cc:** Amie Sherrill; Juliet Hodgkins; Bryan Whitener; Tamar Nedzar

**Subject:** Re: Voting Fraud-Voter Intimidation Report

Just a note to clarify that we are not releasing the preliminary report on voting fraud and voter intimidation (Tova & Job's report) because the draft report is going through EAC review. The only document we can offer at this time is the status report on the research project, which was delivered to our boards and which apparently is considered public information. The status report does not address any recommendations for future EAC action.

I am using some of my work at home time on the draft report. Hopefully, I can meet with Julie and Tamar next week. After that, we will have a better idea of when it will be ready for a Commissioner briefing. ---  
Peggy

Paul DeGregorio/EAC/GOV



Paul DeGregorio/EAC/GOV

10/11/2006 10:20 AM

To Jeannie Layson/EAC/GOV@EAC

cc Amie J. Sherrill/EAC/GOV@EAC, Margaret  
Sims/EAC/GOV@EAC

Subject Re: Interview Request

Find a time that works. There's a story in today's St Louis PD that points to over 1000 suspect voter registrations.

-----  
Sent from my BlackBerry Wireless Handheld

----- Original Message -----

**From:** Jeannie Layson

**Sent:** 10/11/2006 10:15 AM

**To:** Paul DeGregorio

**Cc:** Amie Sherrill; Margaret Sims

**Subject:** Interview Request

Mr. Chairman,

Will Lester of the Associated Press wants to interview you briefly via phone about the preliminary fraud report. I recommend you accomodate him, as he has dutifully covered EAC, and plans to include us in a story next week about the election lanscape. He has requested a copy of the preliminary report, which I

003530

am sending to him. He only needs a few minutes, and as we discussed, i think the message is that these are preliminary findings that we presented to our advisory boards to get their input. When the final report is complete, we will release it. You can also use some of the talking pts from your speech, such as the challenge related to the very definition of the term "fraud," as people define it differently. How about I set it up for noon?

The only question he asked that I don't know the answer to is when we expect the final report. Peg... please weigh in on this.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV

10/11/2006 01:57 PM

To Jeannie Layson/EAC/GOV

cc twilkey@eac.gov, Juliet E. Hodgkins/EAC/GOV@EAC,  
bwhitener@eac.gov

Subject Re: Voting Fraud-Voter Intimidation Report

The working group met prior to the meeting of the EAC boards, but too late for its deliberations to be summarized in the written status report on the project that was delivered to the boards. The status report notes that a meeting of the working group was about to be held to review the research so far and make recommendations. ---- Peggy

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV

10/11/2006 01:03 PM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Re: Voting Fraud-Voter Intimidation Report

Has the working group met since the preliminary report was given to the Standards Bd?

-----  
Sent from my BlackBerry Wireless Handheld

Margaret Sims

----- Original Message -----

From: Margaret Sims

Sent: 10/11/2006 12:34 PM

To: Paul DeGregorio; Jeannie Layson; Thomas Wilkey

003531

**Cc:** Amie Sherrill; Juliet Hodgkins; Bryan Whitener; Tamar Nedzar  
**Subject:** Re: Voting Fraud-Voter Intimidation Report

Just a note to clarify that we are not releasing the preliminary report on voting fraud and voter intimidation (Tova & Job's report) because the draft report is going through EAC review. The only document we can offer at this time is the status report on the research project, which was delivered to our boards and which apparently is considered public information. The status report does not address any recommendations for future EAC action.

I am using some of my work at home time on the draft report. Hopefully, I can meet with Julie and Tamar next week. After that, we will have a better idea of when it will be ready for a Commissioner briefing. ---  
Peggy

Paul DeGregorio/EAC/GOV



Paul DeGregorio/EAC/GOV  
10/11/2006 10:20 AM

To Jeannie Layson/EAC/GOV@EAC  
cc Amie J. Sherrill/EAC/GOV@EAC, Margaret  
Sims/EAC/GOV@EAC  
Subject Re: Interview Request

Find a time that works. There's a story in today's St Louis PD that points to over 1000 suspect voter registrations.

-----  
Sent from my BlackBerry Wireless Handheld

----- Original Message -----

**From:** Jeannie Layson  
**Sent:** 10/11/2006 10:15 AM  
**To:** Paul DeGregorio  
**Cc:** Amie Sherrill; Margaret Sims  
**Subject:** Interview Request

Mr. Chairman,

Will Lester of the Associated Press wants to interview you briefly via phone about the preliminary fraud report. I recommend you accomodate him, as he has dutifully covered EAC, and plans to include us in a story next week about the election lanscape. He has requested a copy of the preliminary report, which I am sending to him. He only needs a few minutes, and as we discussed, i think the message is that these are preliminary findings that we presented to our advisory boards to get their input. When the final report is complete, we will release it. You can also use some of the talking pts from your speech, such as the challenge related to the very definition of the term "fraud," as people define it differently. How about I set it up for noon?

The only question he asked that I don't know the answer to is when we expect the final report. Peg...

003536



please weigh in on this.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Paul DeGregorio/EAC/GOV  
09/28/2006 11:27 PM

To Margaret Sims/EAC/GOV

cc

Subject Speech

Peg,

I thought I would share with you the speech I am going to give on Fraud and Intimidation in Salt Lake City at noon on Friday. If you have time, please read it over and let me know if you see anything I shouldn't say. Thanks.



Speech on Fraud intimidation Sept 29 06 Salt Lake City.doc

Paul DeGregorio  
Chairman  
US Election Assistance Commission  
1225 New York Ave, NW  
Suite 1100  
Washington, DC 20005  
1-866-747-1471 toll-free  
202-566-3100  
202-566-3127 (FAX)  
pdegregorio@eac.gov  
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Thomas R. Wilkey/EAC/GOV  
10/11/2006 11:42 AM

To Bryan Whitener/EAC/GOV@EAC

cc Jeannie Layson/EAC/GOV@EAC, Margaret  
Sims/EAC/GOV@EAC, Karen Lynn-Dyson/EAC/GOV@EAC,  
Juliet E. Hodgkins/EAC/GOV@EAC

Subject Re: request for reports - Wendy Weiser, Brennan Center

003533

Both of these reports are draft reports to the EAC and are currently being reviewed by staff. While we have released some of the data tables that Eagleton nether of these reports can be released.

-----  
Sent from my BlackBerry Wireless Handheld

Bryan Whitener

----- Original Message -----

**From:** Bryan Whitener  
**Sent:** 10/11/2006 11:34 AM  
**To:** Thomas Wilkey  
**Cc:** Jeannie Layson; Margaret Sims; Karen Lynn-Dyson; Juliet Hodgkins  
**Subject:** Fw: request for reports - Wendy Weiser, Brennan Center

Tom,

Do we have a policy on distributing the items she is requesting?

----- Forwarded by Bryan Whitener/EAC/GOV on 10/11/2006 11:33 AM -----



"Wendy Weiser"

10/11/2006 10:57 AM

To bwhitener@eac.gov

cc

Subject request for reports

Mr. Whitener,

I write to request a copy of the following two reports submitted to the Election Assistance Commission:

- (1) a report on voter fraud and voter intimidation, outlining a future research agenda, prepared by Tova Wang and Job Serebrov, and discussed in this morning's USA TODAY;
- (2) a report on provisional ballots and voter ID, prepared by the Moritz School of Law at Ohio State University in collaboration with others.


It is my understanding that these reports were commissioned by and submitted to the EAC several months ago. It is in the public interest to release these reports since they will advance the public discussion and understanding of important election administration issues.

Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Sincerely,


003534

Wendy R. Weiser  
Deputy Director, Democracy Program  
Brennan Center for Justice at NYU School of Law  
161 Avenue of the Americas, 12th Floor  
New York, NY 10013  
(212) 998-6130 (direct)  
(212) 995-4550 (fax)



----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Bryan Whitener/EAC/GOV  
10/11/2006 03:21 PM


To Thomas R. Wilkey/EAC/GOV@EAC  
cc Jeannie Layson/EAC/GOV@EAC, Juliet E.  
Hodgkins/EAC/GOV@EAC, Karen  
Lynn-Dyson/EAC/GOV@EAC, Margaret  
Sims/EAC/GOV@EAC  
Subject Re: request for reports - Wendy Weiser, Brennan Center 

Tom,

Thanks but Wendy Weiser seems to be under the assumption that we provided all of this material to USA Today. As agreed to by the commissioners, counsel and staff, we only provided USA Today with the public documents that were presented to the advisory boards at the May meetings. Should we not clarify this to Wendy and provide her or anyone else with the same. I also just received the same request from election officials in Cook County, IL and King County, WA. Reporters are pestering them for information based on the USA Today article so election officials now want it from EAC. Looks like this is only the start so we need to get ahead of the curve.

Thomas R. Wilkey/EAC/GOV

Thomas R. Wilkey/EAC/GOV  
10/11/2006 11:42 AM

To Bryan Whitener/EAC/GOV@EAC  
cc Jeannie Layson/EAC/GOV@EAC, Margaret  
Sims/EAC/GOV@EAC, Karen Lynn-Dyson/EAC/GOV@EAC,  
Juliet E. Hodgkins/EAC/GOV@EAC  
Subject Re: request for reports - Wendy Weiser, Brennan Center 

Both of these reports are draft reports to the EAC and are currently being reviewed by staff.  
While we have released some of the data tables that Eagleton neither of these reports can be released.

-----  
Sent from my BlackBerry Wireless Handheld  
Bryan Whitener  
----- Original Message -----

From: Bryan Whitener  
Sent: 10/11/2006 11:34 AM

003535

To: Thomas Wilkey  
Cc: Jeannie Layson; Margaret Sims; Karen Lynn-Dyson; Juliet Hodgkins  
Subject: Fw: request for reports - Wendy Weiser, Brennan Center

Tom,

Do we have a policy on distributing the items she is requesting?

----- Forwarded by Bryan Whitener/EAC/GOV on 10/11/2006 11:33 AM -----



"Wendy Weiser"

10/11/2006 10:57 AM

To bwhitener@eac.gov

cc

Subject request for reports

Mr. Whitener,

I write to request a copy of the following two reports submitted to the Election Assistance Commission:

- (1) a report on voter fraud and voter intimidation, outlining a future research agenda, prepared by Tova Wang and Job Serebrov, and discussed in this morning's USA TODAY;
- (2) a report on provisional ballots and voter ID, prepared by the Moritz School of Law at Ohio State University in collaboration with others.

It is my understanding that these reports were commissioned by and submitted to the EAC several months ago. It is in the public interest to release these reports since they will advance the public discussion and understanding of important election administration issues.

Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Sincerely,

Wendy R. Weiser  
Deputy Director, Democracy Program  
Brennan Center for Justice at NYU School of Law  
161 Avenue of the Americas, 12th Floor  
New York, NY 10013  
(212) 998-6130 (direct)  
(212) 995-4550 (fax)

003536

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV

08/22/2006 02:09 PM

To "Donsanto, Craig"

<Craig.Donsanto@usdoj.gov>@GSAEXTERNAL

cc

Subject RE: Does EAC have access to stats on -- 

We don't have a summary in numbers. We just have a summary of cases, some of which do not appear to reach the level of election fraud, and the charts of newspaper articles, some of which only contain allegations and some of which report convictions. These charts were on the CD I sent you before the Working Group meeting. Unfortunately, we have a long way to go before we have what I would classify as statistics.

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)  
Fax: 202-566-3127  
email: psims@eac.gov

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>



"Donsanto, Craig"  
<Craig.Donsanto@usdoj.gov>  
>

To psims@eac.gov

cc

08/22/2006 01:54 PM

Subject RE: Does EAC have access to stats on --

Peggy - - I can take whatever you got!!!! What does the data you got show?

**From:** psims@eac.gov [mailto:psims@eac.gov]  
**Sent:** Tuesday, August 22, 2006 1:53 PM  
**To:** Donsanto, Craig  
**Subject:** Re: Does EAC have access to stats on --

No reliable, comprehensive data --- just the preliminary research results from case law, literature review, and interviews. --- Peggy

00353

"Donsanto, Craig"  
<Craig.Donsanto@usdoj.gov>

08/22/2006 12:50 PM

To psims@eac.gov, bhancock@eac.gov  
cc "Campbell, Benton" <Benton.Campbell@usdoj.gov>, "Simmons, Nancy"  
<Nancy.Simmons@usdoj.gov>  
Subject Does EAC have access to stats on --

-- State and local level prosecutions dealing with electoral fraud?

This message was brought to you by Dr. D's fabulous Blackberry!

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

Margaret Sims/EAC/GOV

10/11/2006 02:37 PM

To Jeannie Layson/EAC/GOV@EAC  
cc twilkey@eac.gov, Juliet E. Hodgkins/EAC/GOV@EAC,  
bwhitener@eac.gov  
Subject Re: Voting Fraud-Voter Intimidation Report

The answer is tricky. The working group met *after the written report was submitted* for the board meetings, but *before the status report was formally presented* (orally) at the board meetings. --- Peggy

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV

10/11/2006 02:27 PM

To Margaret Sims/EAC/GOV@EAC  
cc  
Subject Re: Voting Fraud-Voter Intimidation Report

So the answer is yes, they did meet after the status report was presented?

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov  
Margaret Sims/EAC/GOV

003538

Margaret Sims/EAC/GOV

10/11/2006 02:26 PM

To Jeannie Layson/EAC/GOV@EAC

cc twilkey@eac.gov, Juliet E. Hodgkins/EAC/GOV@EAC,  
bwhitener@eac.gov

Subject Re: Voting Fraud-Voter Intimidation Report

The status report was written on May 17, 2006 (the last day it could be submitted for the upcoming board meetings). The first and only meeting of the working group was May 18, 2006. --- Peggy

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV

10/11/2006 02:06 PM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Re: Voting Fraud-Voter Intimidation Report

Yes, that is what prompted my question. So the answer is no -- they have not met since May 17?

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Thomas R. Wilkey/EAC/GOV

10/13/2006 01:33 PM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Re: Funding

Peggy,

Could you give Jeannie a call she needs some help fashioning a statment regarding the USA Today article since Tova and Job are hoping mad

Thanks

-----  
Sent from my BlackBerry Wireless Handheld

003539

----- Original Message -----

**From:** Margaret Sims

**Sent:** 10/13/2006 01:30 PM

**To:** Thomas Wilkey; Diana Scott

**Cc:** Edgardo Cortes; Bola Olu

**Subject:** Fw: Funding

FYI.

----- Forwarded by Margaret Sims/EAC/GOV on 10/13/2006 01:22 PM -----

"Carrera, James A" [REDACTED]

10/10/2006 12:35 PM

To psims@eac.gov

cc

Subject Funding

Peggy,

As noted in our recent status report, 75 percent of contract funding has been reached. The attached is submitted in accordance with the contract requirements.

If you have any questions pleased contact me.

Regards,

Jim

James Carrera / KPMG LLP / [REDACTED] / 703 286-8106 (office) / [REDACTED] 703 995-0325 (fax) /

\*\*\*\*\*  
The information in this email is confidential and may be legally privileged. It is intended solely for the addressee. Access to this email by anyone else is unauthorized.  
If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. When addressed to our clients any opinions or advice contained in this email are subject to the terms and conditions expressed in the governing KPMG client engagement letter.  
\*\*\*\*\*

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV

09/27/2006 12:51 PM

To Bryan Whitener

cc Juliet E. Hodgkins/EAC/GOV@EAC, Karen

003540



Lynn-Dyson/EAC/GOV@EAC  
Subject Status Report on Voting Fraud-Voter Intimidation Study

Bryan:

An electronic copy of the status report is attached, as requested for the USA Today inquiry. The status report includes the attachment listing the Working Group members. I suggest that you check to ensure that I have protected the copy against any manipulation, and protect it yourself if I have not, before sending it out to anyone. --- Peggy



EAC Boards VF-VI Status Report.doc


----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV

10/12/2006 04:20 PM

To Thomas R. Wilkey/EAC/GOV@EAC

cc ggilmour@eac.gov, jthompson@eac.gov,  
klynndyson@eac.gov, psims@eac.gov

Subject Re: Brennan Center letter 

Who is signing the letter?

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100

www.eac.gov


----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Thomas R. Wilkey/EAC/GOV

10/12/2006 04:27 PM

To Jeannie Layson/EAC/GOV@EAC

cc ggilmour@eac.gov, jthompson@eac.gov,  
klynndyson@eac.gov, psims@eac.gov

Subject Re: Brennan Center letter 

I will IF they sign off on it

003541

Thomas R. Wilkey  
Executive Director  
US Election Assistance Commission  
1225 New York Ave, NW - Suite 1100  
Washington, DC 20005  
(202) 566-3109 phone  
TWilkey@eac.gov

Jeannie Layson/EAC/GOV

10/12/2006 04:20 PM

To Thomas R. Wilkey/EAC/GOV@EAC  
cc ggilmour@eac.gov, jthompson@eac.gov, klynndyson@eac.gov, psims@eac.gov  
Subject Re: Brennan Center letter [Link](#)

Who is signing the letter?

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV

10/12/2006 04:14 PM

To twilkey@eac.gov, psims@eac.gov, jthompson@eac.gov,  
ggilmour@eac.gov  
cc

Subject Fw: reporter - Art Levine, Salon.com

See questions below. I can answer the first two, but see if this language is acceptable for questions 3 and 4.

Can I get full report submitted by Tova Wang? If not, why not? EAC staff is currently reviewing the data, and we have not compiled a final report. I will make sure you receive the final report when it is issued.

This answer will probably not make him happy, but it's the best I can come up with. Suggestions?

----- Forwarded by Jeannie Layson/EAC/GOV on 10/12/2006 04:06 PM -----  
Bryan Whitener/EAC/GOV

003542

10/12/2006 04:09 PM

To Jeannie Layson/EAC/GOV@EAC  
cc  
Subject reporter - Art Levine, Salon.com

Art Levine  
Salon.com

[REDACTED]  
202.248.9320  
deadline today or tomorrow

What exactly is the document USA Today refers to ?  
Is it a report or just a staff document ?  
Can I get full report submitted by Tova Wang ?  
If not, why not ?

FYI

Google search shows this on the DLC website  
[http://www.dlc.org/ndol\\_ci.cfm?kaid=139&subid=275&contentid=253439](http://www.dlc.org/ndol_ci.cfm?kaid=139&subid=275&contentid=253439)

Art Levine  
Senior Fellow  
Progressive Poliy Institute  
3003 Van Ness St. NW, Apt. W-516  
Washington, D.C. 20008  
(202) 248-9320  
[REDACTED]

Also,

Salon's shameful six

There was Florida in 2000 and Ohio in 2004. Here are the six states where vote suppression could cost voters their voice -- and Democrats the election -- in 2006.

Salon News  
By Art Levine

Eva Steele has a son in the military who is supposed to be fighting for freedom in Iraq, but sitting in a wheelchair in her room in a Mesa, Ariz., assisted-living facility, she wonders why it's so hard for her to realize a basic freedom back here in America: the right to vote.

003540

Arriving in Arizona in January from Kansas City, weakened by four heart attacks and degenerative disk disease, Steele, 57, discovered that without a birth certificate she can't register to vote. Under a draconian new Arizona law that supposedly targets illegal immigrants, she needs proof of citizenship and a state-issued driver's license or photo I.D. to register. But her van and purse were stolen in the first few weeks after she moved to Mesa, and with her disability checks going to rent and medicine, she can't afford the \$15 needed to get her birth certificate from Missouri. Her wheelchair makes it hard for her to navigate the bus routes or the bureaucratic maze required to argue with state bureaucrats. She's unable to overcome the hurdles thrown in her way -- and in the way of as many as 500,000 other Arizona residents -- by the state's Republican politicians.

###

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV

10/12/2006 10:59 AM

To Thomas.Hicks@mail.house.gov

cc

Subject Research update

Tom,

Per our conversation, attached is the update the Standards Bd. and Bd. of Adv. received at their May meeting. That's all it was -- a status report. And we clearly stated in our Fed. Register notice that we would deliver an update on our research projects. And this meeting was open to the public.

Take care, and let's get together soon. Let me know if you need anything else.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100



www.eac.gov VF-VI Study Status 5-17-06.pdf

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV

10/12/2006 05:26 PM

To ghilman@eac.gov, pdegregorio@eac.gov,  
ddavidson@eac.gov

cc twilkey@eac.gov, jthompson@eac.gov, ggilmour@eac.gov,  
psims@eac.gov, klynndyson@eac.gov, bwhitener@eac.gov

Subject FOR YOUR APPROVAL

Commissioners,

Wendy Weiser of the Brennan Center has requested some of the information that was distributed to the Bd. of Adv. and the Standards Bd. at the May meeting. Her request is below. Attached is a draft letter that I

003544

suggest accompany the information we provide. Also enclosed would be the resolutions passed by both entities. Please let me know if the letter meets your approval. (The letter would be from Tom.)

I write to request a copy of the following two reports submitted to the Election Assistance Commission:

(1) a report on voter fraud and voter intimidation, outlining a future research agenda, prepared by Tova Wang and Job Serebrov, and discussed in this morning's USA TODAY;

(2) a report on provisional ballots and voter ID, prepared by the Moritz School of Law at Ohio State University in collaboration with others.

It is my understanding that these reports were commissioned by and submitted to the EAC several months ago. It is in the public interest to release these reports since they will advance the public discussion and understanding of important election administration issues.

Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100



[www.eac.gov](http://www.eac.gov) brennan center letter.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----



"Donsanto, Craig"  
<Craig.Donsanto@usdoj.gov>

08/22/2006 02:44 PM

To "Campbell, Benton" <Benton.Campbell@usdoj.gov>,  
"Simmons, Nancy" <Nancy.Simmons@usdoj.gov>  
cc psims@eac.gov

Subject FW: Does EAC have access to stats on -

Ben - -

This forwards a short e-mail chain between me and Peg Sims at the EAC. Peg is an institution where this sort of thing is concerned and if there were national stats available she would be the first place I would go - - which come to think of it is why I did!

Her remarks bring-up another issue: apples and oranges.

There are a lot of categories of crime that could arguably fit under the umbrella of "election crime" but which would not be the sort of thing we would find useful for present purposes. Examples would be theft of election materials unrelated to an intent to corrupt the election, campaigning or assaults in or near polls, "campaign slander" (i.e., lying about one's opponent) which is not a federal crime but is potentially a crime in 20 or so states, corruption in the procurement of election equipment (i.e., Louisiana had a recent high

003545

profile case against its secretary of state who took bribes from voting equipment vendors in exchange for buying their machines). This stuff is criminal, but it does not involve corruption of the electoral process itself.

Also, some local prosecutors who do enforce the laws dealing with particularly vote buying - - for various reasons - - chose to prosecute the voters for selling their votes rather than the corrupt political operatives who buy the votes. Many times this is simply because slamming the voter rather than the corrupt pols is easier, quicker and does not entangle the prosecutor in the caldron of local politics. In other instances it is more sinister: I am aware of several instances where local prosecutors tried to charge voters whose names surfaced as people whose votes locally prominent pols had been bought in order to silence them in the federal case. Federally, we usually treat the voters as victims and go after those who tried to purchase their birthright. In one case in Western North Carolina, the target of our case was a local DA. When our indictment against him was returned it named the voters whose votes he was being charged with having bought (we try to avoid this now!). His first act of defense was to charge all these voters with selling their votes under N.C. law. We had to intercede for him - - through the U.S. Attorney at that time - -with the N.C. Governor to pardon these voters so that they could testify concerning the material facts without incriminating themselves.

My point here is this:

Even if we can get some State stats, since the State concept of "election crime" and ours is usually different, and since state prosecutors often approach this type of case from an entirely different perspective than we do at the federal level, State stats will likely have minimal value to substantiating the thesis we are trying to advance: that local law enforcement in the election crime area is not adequate.

----- Message from psims@eac.gov on Tue, 22 Aug 2006 14:09:06 -0400 -----

To: "Donsanto, Craig" <Craig.Donsanto@crm.usdoj.gov>

Subject: RE: Does EAC have access to stats on --

We don't have a summary in numbers. We just have a summary of cases, some of which do not appear to reach the level of election fraud, and the charts of newspaper articles, some of which only contain allegations and some of which report convictions. These charts were on the CD I sent you before the Working Group meeting. Unfortunately, we have a long way to go before we have what I would classify as statistics.

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)  
Fax: 202-566-3127  
email: psims@eac.gov

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

08/22/2006 01:54 PM

To psims@eac.gov

cc

Subject RE: Does EAC have access to stats on --

003546

Peggy - - I can take whatever you got!!! What does the data you got show?

**From:** psims@eac.gov [mailto:psims@eac.gov]  
**Sent:** Tuesday, August 22, 2006 1:53 PM  
**To:** Donsanto, Craig  
**Subject:** Re: Does EAC have access to stats on --

No reliable, comprehensive data --- just the preliminary research results from case law, literature review, and interviews. --- Peggy

"Donsanto, Craig"  
<Craig.Donsanto@usdoj.gov>

08/22/2006 12:50 PM

To psims@eac.gov, bhancock@eac.gov  
cc "Campbell, Benton" <Benton.Campbell@usdoj.gov>, "Simmons, Nancy"  
<Nancy.Simmons@usdoj.gov>  
Subject Does EAC have access to stats on --  
ct

-- State and local level prosecutions dealing with electoral fraud?

This message was brought to you by Dr. D's fabulous Blackberry!

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----



"Tova Wang"  
<wang@tcf.org>  
10/03/2006 10:41 AM

To "Ambrogi, Adam (Rules)"  
<Adam\_Ambrogi@rules.senate.gov>, psims@eac.gov  
cc

Subject RE: Chapin Survey

003547

Thanks Adam. As the current project moves forward and then proceeds to phase 2, this will be a great resource I'm sure. Tova

Tova Andrea Wang, Democracy Fellow  
**The Century Foundation**  
1333 H Street, NW, Washington, D.C. 20005

Visit our Web site, [www.tcf.org](http://www.tcf.org), for the latest news, analysis, opinions, and events.

**From:** Ambrogi, Adam (Rules) [mailto:Adam\_Ambrogi@rules.senate.gov]  
**Sent:** Monday, October 02, 2006 11:39 AM  
**To:** psims@eac.gov; wang@tcf.org  
**Subject:** Chapin Survey

Peggy and Tova:

I know that we had been looking for a state survey of election fraud and intimidation statutes—as you may have seen, Doug Chapin recently released a report on this info-attached here. I hope all is well with the both of you.

Best regards,  
Adam

-----  
Adam D. Ambrogi  
Democratic Professional Staff Member  
Senate Committee on Rules and Administration  
Russell Senate Office Building, Room 479  
Washington, D.C. 20510  
202-224-0279

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV  
10/13/2006 04:40 PM

To Jeannie Layson/EAC/GOV  
cc twilkey@eac.gov

Subject Fw: Don't Believe Everything You Read

Jeannie:

Attached is the email I sent to Tova and Job, and Job's response. (I have not yet heard back from Tova.)

003546



--- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 10/13/2006 04:37 PM ---



"Job Serebrov"

10/13/2006 03:26 PM

To psims@eac.gov, wang@tcf.org

cc

Subject Re: Don't Believe Everything You Read

Peg:

We saw both the USA Today article and a similar thing was reported on Rush Limbaugh's show naming both of us. I had a talk this morning with folks at the EAC. I told them at this point there needs to be a press release sent out by the Chairman saying just what you stated. This is the only way to rehabilitate the work we did, the Chairman's credibility, and our reputations. I also fear that if this is not done the EAC will begin to receive calls from Congressman and Senators regarding the "report" and its effect on voter ID requirements.

Peg, up to now Tova and I have refused to speak with the press at all out of respect for the EAC and its mission. We both stand by our work and its conclusions. We both also feel that if a statement (as well phrased as you did in this e-mail clarifying the issue) is not forthcoming from the Chairman then I will have to correct this error with the Press. I explained this in my conversation this morning with the EAC.

Tova and I worked hard to produce a correct, accurate and truthful report. I could care less that the results are not what the more conservative members of my Party wanted. Neither one of us was willing to conform results for political expediency. I think its important for me to note that I was very impressed with Tova's members of the Working Group and I can't say enough about Tova's partnership effort in this endeavor. While neither one of us really care about outside opinions, we do care that the Chairman was quoted or misquoted in a way that would disparage our year-long effort and all of the tax payer money that went into it. For this reason, we believe that a press release clarifying the situation is necessary from either the Chairman or from me.

Regards,

Job

*psims@eac.gov* wrote:

Tova and Job:

I am home recuperating, but see that in my absence, a USA Today article has gotten everyone stirred up. The report to which the article refers is only the status report on the voting fraud-voter intimidation research project that was delivered to our Standards Board and Board of Advisors last spring. I provided a copy of this document to both of you. but have attached another copy for your information. This

003549

document is subject to public release because it was presented at a public meeting.

Due to internal resource allocation problems, your final report has not yet been reviewed by the Commissioners. It is considered a working document (not subject to public release) until it has completed the review process and the Commissioners have agreed to release it. There has been no attempt by the Commission to hold up the report. I bear responsibility for any delays in moving it along. Please be reassured that we would not release your report without letting you know.

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)  
Fax: 202-566-3127  
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV

10/13/2006 04:11 PM

To psims@eac.gov

cc

Subject job and tova

Please forward me the email you sent Tova and Job, as he is calling me and I want to make sure I understand what is being communicated to them. Thank you.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV

10/11/2006 08:22 AM

To pdegregorio@eac.gov, ghillman@eac.gov,  
ddavidson@eac.gov

cc twilkey@eac.gov, jthompson@eac.gov, psims@eac.gov,  
bwhitener@eac.gov

Subject USA Today

See story below that ran in today's USA Today. This reporter requested the info a few weeks ago, and we had to release it b/c it was distributed at a Standards Bd. meeting, which is considered a public venue.

003550

Also, the document was not labeled draft.

I anticipate that we may get questions about why we haven't released it. I propose the following response. Please let me know if you approve. The story follows.

"This was a preliminary report presented to our oversight committees. The EAC is waiting on a final report, which we will release upon its completion."

## Report refutes fraud at poll sites

Updated 10/11/2006 8:05 AM ET

By Richard Wolf, USA TODAY

WASHINGTON — At a time when many states are instituting new requirements for voter registration and identification, a preliminary report to the U.S. Election Assistance Commission has found little evidence of the type of polling-place fraud those measures seek to stop.

USA TODAY obtained the report from the commission four months after it was delivered by two consultants hired to write it. The commission has not distributed it publicly.

### **NEW LAWS: Thousands of voters shut out**

At least 11 states have approved new rules for independent voter-registration drives or requirements that voters produce specific forms of photo ID at polling places. Several of those laws have been blocked in court, most recently in Arizona last week. The House of Representatives last month approved a photo-ID law, now pending in the Senate.

The bipartisan report by two consultants to the election commission casts doubt on the problem those laws are intended to address. "There is widespread but not unanimous agreement that there is little polling-place fraud, or at least much less than is claimed, including voter impersonation, 'dead' voters, non-citizen voting and felon voters," the report says.

The report, prepared by Tova Wang, an elections expert at the Century Foundation think tank, and Job Serebrov, an Arkansas attorney, says most fraud occurs in the absentee ballot process, such as through coercion or forgery. Wang declined to comment on the report, and Serebrov could not be reached for comment.

Others who reviewed the report for the election commission differ on its findings. Jon Greenbaum of the liberal Lawyers' Committee for Civil Rights Under Law says it was convincing. The committee wrote to the commission Friday seeking its release.

Conservatives dispute the research and conclusions. Thor Hearne, counsel to the American Center for Voting Rights, notes that the Justice Department has sued Missouri for having ineligible voters registered, while dead people have turned up on the registration rolls in Michigan. "It is just wrong to say that this isn't a problem," he says.

That's one reason the commission decided not to officially release the report. "There was a division of opinion here," Chairman Paul DeGregorio says. "We've seen places where fraud does occur."

The consultants found little evidence of that. Barry Weinberg, former deputy chief of the voting section in the Justice Department's civil rights division, reviewed their work. "Fraud at the polling place is generally difficult to pull off," he says. "It takes a lot of planning and a lot of coordination."

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW

003551

Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100

www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----



Gracia Hillman/EAC/GOV

10/11/2006 09:54 AM

To: Jeannie Layson/EAC/GOV@EAC

cc: bwhitener@eac.gov, ddavidson@eac.gov,  
jthompson@eac.gov, pdegregorio@eac.gov,  
psims@eac.gov, twilkey@eac.gov

Subject: Re: USA Today [icon]

The proposed response sounds okay but the story is out. Other media may want the information. That the material given USA Today wasn't identified as draft or preliminary findings is now our problem.

I hope we are working post haste to have the report ready to release less we be seen as trying to bury this. It seems to me that other articles will be written, if not from the document that we sent to USA Today, then certainly from the USA Today article as the source document.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Thomas R. Wilkey/EAC/GOV

09/22/2006 05:17 PM

To: Bryan Whitener/EAC/GOV@EAC, Margaret  
Sims/EAC/GOV@EAC, Karen Lynn-Dyson/EAC/GOV@EAC,  
Juliet E. Hodgkins/EAC/GOV@EAC, Gavin S.  
Gilmour/EAC/GOV@EAC

cc: Jeannie Layson/EAC/GOV@EAC

Subject: Re: Media request - USA Today [icon]

My initial reaction is that both reports are currently under review by EAC staff.  
I will entertain other thoughts but that is pretty much the what is the situation right now.  
Both research projects were designed to give the EAC issues and recommendations in both of these areas and are currently being reviewed.  
As a matter of fact the report from our consultants on Voter fraud and Intimaation has not been forwarded by staff to the Commissioers but Peg will need to weigh in on that.

-----  
Sent from my BlackBerry Wireless Handheld

Bryan Whitener

----- Original Message -----

From: Bryan Whitener

Sent: 09/22/2006 05:10 PM

To: Margaret Sims; Karen Lynn-Dyson; Thomas Wilkey; Juliet Hodgkins; Gavin

Gilmour

Cc: Jeannie Layson

Subject: Media request - USA Today

003552

All

Richard Wolf of USA Today called and asked for the following. Jeannie and I ask that you consider this carefully and let us know ASAP what to provide .

(1) The status report on voter fraud and consultant update that was presented to the advisory boards in May, 2006.

(2) The status of the required guidance document on provisional voting and voter ID that is referenced in the following passage in today's Electionline Weekly by Doug Chapin.

In addition to the EAC's considerable election management responsibilities (especially in the area of voting equipment certification and testing), the agency has key policy issues to resolve in the immediate to near-term future, including a required guidance document on provisional voting and voter ID (now nearly two years overdue) and continued regulatory oversight over state implementation of "motor voter". This latter issue will almost certainly involve questions about the intersection of state and federal laws on voter registration - questions which divided the Commission when applied to Arizona, and could divide it again as Republicans and Democrats continue their traditional struggle to balance access to the franchise with concerns about the potential for fraud at the polls.

Thanks,  
Bryan


----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Thomas R. Wilkey/EAC/GOV

10/12/2006 04:19 PM

To Jeannie Layson/EAC/GOV@EAC

cc ggilmour@eac.gov, jthompson@eac.gov,  
klynndyson@eac.gov, psims@eac.gov

Subject Re: Brennan Center letter 

I like this..it needs to go to the 3 C's for review and approval.

We also need to be prepared as to what happens when they receive it.

Thanks for your help.

Tom

Thomas R. Wilkey  
Executive Director  
US Election Assistance Commission  
1225 New York Ave, NW - Suite 1100  
Washington, DC 20005  
(202) 566-3109 phone  
TWilkey@eac.gov

Jeannie Layson/EAC/GOV

003550

10/12/2006 04:08 PM

To twilkey@eac.gov  
cc jthompson@eac.gov, ggilmour@eac.gov, klynndyson@eac.gov, psims@eac.gov  
Subject Brennan Center letter

Tom;  
A draft letter is attached. I've incorporated comments from Gavin and Julie.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100



www.eac.gov brennan center letter.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV

09/25/2006 12:36 PM

To Juliet E. Hodgkins/EAC/GOV@EAC, twilkey@eac.gov  
cc Karen Lynn-Dyson/EAC/GOV@EAC  
Subject Preparation for Vote Fraud Conference in Utah

Matt (and Amy) are working on a speech for the Chairman to deliver at the Vote Fraud conference in Utah at the end of the week. Matt has asked for the consultants' definition of vote fraud/voter intimidation and the draft recommendations. As neither have been through full Commission review, I would like to speak with one or both of you before I drop this information in any one Commissioner's lap. Matt is looking for this information today. FYI, attached are copies of the consultants' definition and the draft recommendations from the consultants and others from the working group. Also attached is a summary of concerns expressed by the working group. --- Peggy



Fraud Project Definition-rev 6-27.doc RECOMMENDATIONS - final2.doc Working Group Recommendations final.doc



Key Working Group Comments and Observations AND concerns final.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Bryan Whitener/EAC/GOV

10/11/2006 05:29 PM

To Paul DeGregorio/EAC/GOV@EAC, Donetta L.  
Davidson/EAC/GOV@EAC, Gracia Hillman/EAC/GOV@EAC  
cc Thomas R. Wilkey/EAC/GOV@EAC, Juliet E.

00-354

Hodgkins/EAC/GOV@EAC, Margaret  
Sims/EAC/GOV@EAC, Jeannie Layson/EAC/GOV@EAC  
Subject AP voter fraud story posted

**Report: Voter fraud may be overstated**

By WILL LESTER  
Associated Press Writer  
Oct 11, 4:40 PM EDT  
October 11, 2006

WASHINGTON (AP) -- The most common form of voter fraud involves absentee ballots, including forgery and coercion in getting older or ailing voters to fill them out, according to a preliminary report to the U.S. Election Assistance Commission.

But the report, delivered in May, suggested that reports of polling place fraud involving "dead" voters and voting by felons and non-citizens might be overstated. The researchers said there is far more anecdotal evidence about voter fraud than specific verifiable claims.

"On balance, more researchers find it to be less of a problem than is commonly described in political debate," the report said.

"Many times people put their own partisan spin on voter fraud and voter intimidation," EAC Chairman Paul DeGregorio said Wednesday.

DeGregorio said the report was only preliminary and cautioned that more investigation is needed to understand the amount of voter fraud in this country.

"Many times you see people attempting to commit fraud, but it never gets to the level of being reported," said DeGregorio, a former elections official in St. Louis. He noted a case of more than 1,400 suspect voter registration cards being investigated in St. Louis.

The preliminary report was prepared by Tova Wang, an elections expert at the Century Foundation think tank and Job Serebrov, an Arkansas attorney.

Conservatives have argued the problem of voter fraud is severe in some states, while liberals generally argue that voters face too many restrictions.

New state laws requiring voters to present identification at polling places have faced legal challenges in states such as Arizona and Georgia.

"It's absolutely a serious problem," said Thor Hearne, counsel to the American Center for Voting Rights. "It's an unfortunate reality, particularly in battleground states."

Those problems include voter fraud and voter intimidation, he said.

The final voter fraud report is expected after the Nov. 7 midterm elections, DeGregorio said.

###

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV

10/12/2006 10:32 AM

To [REDACTED]

003555